

FIFTY-NINTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Harold Love of Davidson County.

Representative Love led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 98.

Mr. Richards moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 365 out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

House Joint Resolution No. 365 — Relative to congratulating Ann Alexander — By Richards, Scruggs, Smith, Nolan, Hall, Miller and Jensen.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Richards, the resolution was adopted.

A motion to reconsider was tabled.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1614, 1623 and 1653; and House Joint Resolutions Nos. 283, 284, 300, 338 and 341; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1614, 1623 and 1653; House Joint Resolutions Nos. 283, 284, 300, 338 and 341.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 333, 1529, 1554, 1566, 1568, 1585, 1624 and 1625; and House Joint Resolutions Nos. 262, 264, 266, 267, 268, 269, 272, 275, 290, 306 and 310 with his approval.

EDDIE SISK,
Counsel to the Governor.

CALENDAR

Senate Bill No. 1579 — To amend Sections 59-324, 59-326 and 59-327, Code.

Mr. Burnett (Fentress) moved that Senate Bill No. 1579 be passed on third and final reading.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1579 by adding to the amendatory language of Section 1 a new subsection reading as follows:

(e) Nothing in this section shall be interpreted to give the state priority over any deed of trust or any security interest perfected under the Uniform Commerical Code which is filed prior to the filing of the notice of state tax lien, irrespective of when such taxes are assessed.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1579, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	1
Present and not voting	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

Representative voting no was: McKinney — 1.

Representatives present and not voting were: Phillips and Williams — 2.

A motion to reconsider was tabled.

Mr. Darnell moved that House Bill No. 1827 be placed on the Calendar for Monday, February 13, 1978, which motion prevailed.

House Bill No. 1555 — To amend Section 49-3904, Code.

Mr. Darnell moved that House Bill No. 1555 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	2
Present and not voting	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Johnson, Kernell, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

Representatives voting no were: Cobb and Hurley — 2.

Representatives present and not voting were: Henry and Richards — 2.

A motion to reconsider was tabled.

House Bill No. 1596 — To amend Section 56-107, Code.

On motion, House Bill No. 1596 was made to conform with Senate Bill No. 1568.

On motion, Senate Bill No. 1568, on same subject, was substituted for House Bill No. 1596.

Mr. Naifeh moved that Senate Bill No. 1568 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 96.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1857 — To defray travel expenses, patients, St. Jude Hospital.

Mr. Naifeh moved that House Bill No. 1857 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	1
Present and not voting	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Young — 91.

Representative voting no was: Chiles — 1.

Representative present and not voting was: Murphy (Davidson) — 1.

A motion to reconsider was tabled.

Mr. Shockley asked to be recorded as voting no on Senate Bill No. 1568.

House Bill No. 1975 — To amend Title 11, Chapter 14, Code.

Mr. Naifeh moved that House Bill No. 1975 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

A motion to reconsider was tabled.

House Bill No. 743 — To create Tennessee Advisory Commission, Intergovernmental Relations.

Mr. Jensen moved that House Bill No. 743 be passed on third and final reading.

Mr. Jensen moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 743 by deleting Section 6 in its entirety and substituting in lieu thereof the following:

Section 6. Upon request from the commission, the Joint Legislative Services Committee shall provide such staff services as the commission deems necessary.

On motion, the amendment was adopted.

Mr. Jensen moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 743 by deleting from Section 11 the word and figures "July 1, 1977" and substituting in lieu thereof the word and figures "July 1, 1978".

On motion, the amendment was adopted.

Thereupon, House Bill No. 743, as amended, passed its third and final reading by the following vote:

Ayes.....	87
Noes.....	2
Present and not voting	6

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

Representatives voting no were: Hood and Small — 2.

Representatives present and not voting were: Butler, Chiles, Henry, McKinney, Martin and Sterling — 6.

A motion to reconsider was tabled.

House Bill No. 1543 — To designate official railroad museum of state.

On motion, House Bill No. 1543 was made to conform with Senate Bill No. 1527.

On motion, Senate Bill No. 1527, on same subject, was substituted for House Bill No. 1543.

Mr. Robinson (Hamilton) moved that Senate Bill No. 1527 be passed on third and final reading.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1527 by deleting the word "the" in line 1 of Section 1, and by substituting instead the word "an" so that the amended sentence reads:

"The Tennessee Valley Railroad Museum is an official railroad museum in the state of Tennessee."

On motion, the amendment was adopted.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1527 by adding a new sentence at the end of Section 1:

The signs as provided hereunder shall be placed on the property of the museum and shall not exceed \$500 in cost.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1527, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	1
Present and not voting	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

Representative voting no was: Murphy (Davidson) — 1.

Representative present and not voting was: Ozment — 1.

A motion to reconsider was tabled.

House Bill No. 1691 — To make certain provisions, bonds of public offenders.

Mr. Bussart moved that House Bill No. 1691 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

House Bill No. 1704 — To amend Section 12-317, Code.

Mr. Elkins moved that House Bill No. 1704 be passed on third and final reading.

Mr. Love moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1704 by deleting from the amendatory language of Section 1 the words "free of charge" and substituting in lieu thereof the words "at a reasonable cost."

On motion, the amendment was adopted.

Mr. Elkins moved that House Bill No. 1704 be placed on the Calendar for Thursday, February 16, 1978, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

348 — Relative to commending J.C. "Jake" Hundley; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1567 — To define county trustee duties, certain purchases; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 663, 1576, 1577, 1578, 1583, 1667 and 1673; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1626 — To amend Title 39, Chapter 53, Code; substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

OBJECTIONS — CONSENT CALENDAR

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Cobb objected to Senate Joint Resolution No. 78.

Ms. DeBerry objected to Senate Joint Resolution No. 144.

Mr. Burnett (Fentress) objected to Senate Joint Resolution No. 145.

Mr. Smith objected to House Resolution No. 40 and House Joint Resolution No. 296.

Under the rules, Senate Joint Resolutions Nos. 78, 144 and 145; House Resolution No. 40; and House Joint Resolution No. 296 were placed at the foot of the Calendar for Monday, February 13, 1978.

Mr. Lanier moved that the remainder of the resolutions on the Consent Calendar be adopted or concurred in, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burlison, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

Representative present and not voting was: Ashford — 1.

A motion to reconsider was tabled.

Senate Joint Resolution No. 118 — Relative to commending Girl Scouts Troop 464, Columbia.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 129 — Relative to honoring Judge C. S. Carney.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 130 — Relative to honoring William C. Weaver, Jr.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 135 — Relative to commending Sandra Clark.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 139 — Relative to expressing appreciation, former members of the Tennessee Code Commission.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 142 — Relative to memory, H. O. Balls.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 149 — Relative to congratulating Charles W. Houston.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 150 — Relative to honoring former Representative Claude Ramsey.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 152 — Relative to congratulating David Lewis.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

House Resolution No. 89 — Relative to honoring Council Preacher Stevenson of Memphis.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Resolution No. 91 — Relative to commending Cletus McWilliams.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Resolution No. 92 — Relative to congratulating the Middle Tennessee State University horse judging team.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 286 — Relative to commending William R. Croxdale.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 288 — Relative to memorializing Reverend Mack L. Page.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 289 — Relative to congratulating S. Shepard Tate of Memphis.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 291 — Relative to appreciation of Ernie Grunfeld.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 292 — Relative to memorializing Will Carruthers of Memphis.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 293 — Relative to memorializing George LaManna.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 295 — Relative to congratulating Claire D. Ford of Memphis.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 297 — Relative to mental health.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 298 — Relative to congratulating Harding Academy, Memphis.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 299 — Relative to honoring Virgil A. Cline, Sr., of Shelbyville.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 305 — Relative to congratulating Alcoa High School Football team.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 308 — Relative to memorializing Sidney Wood Harris of Shelbyville.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 313 — Relative to honoring the memory of Mrs. Jean W. Kingston.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 314 — Relative to honoring Dr. D. F. Adkisson.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 315 — Relative to the memory of Mize Leonard Lawrence.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 316 — Relative to congratulating Ted Turner.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 317 — Relative to commending Fred Christopher.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 318 — Relative to honoring the memory of Edd R. Pickett.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 319 — Relative to congratulating Dr. Walter L. Martin, Jr.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 320 — Relative to the memory of former Judge W. N. (Buck) Dietzen.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 321 — Relative to congratulating Joe Morrison.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 322 — Relative to congratulating Dr. James R. Royal.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 325 — Relative to proclaiming June 1, 1978 as tourist appreciation day.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 159 — Relative to study, alteration of Tennessee Code Annotated, Joint Legislative Service Committee.

The Speaker referred Senate Joint Resolution No. 159 to the Committee on State and Local Government.

Senate Joint Resolution No. 163 — Relative to honoring Dr. Otto Morse Kochtitzky.

Under the rules, Senate Joint Resolution No. 163 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 164 — Relative to honoring Larry L. Schmittou.

Under the rules, Senate Joint Resolution No. 164 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 165 — Relative to commending officials, L & N Railroad.

Under the rules, Senate Joint Resolution No. 165 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 166 — Relative to congratulating Arthur Balaam Long, Jr.

Under the rules, Senate Joint Resolution No. 166 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 168 — Relative to congratulating officials, Knoxville's Eighteenth Annual Dogwood Arts Festival.

Under the rules, Senate Joint Resolution No. 168 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 171 — Relative to commending Federal District Court Judge Frank Gray, Jr.

Under the rules, Senate Joint Resolution No. 171 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 172 — Relative to congratulating Dr. Margaret Rhea Seddon, one of first female astronaut candidates.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Bragg, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 176 — Relative to adjournment sine die, Ninetieth General Assembly.

Under the rules, Senate Joint Resolution No. 176 was referred to the Committee on Calendar and Rules.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 364 — To make provisions, excused absences, members of juries.

SENATE AMENDMENT NO. 1

Amend House Bill No. 364 by adding the following sentence:

"No employer shall be required under the provisions of this section to compensate an employee for more time than was actually spent serving and traveling to and from jury duty."

Mr. McKinney moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 95.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 2

Amend House Bill No. 364 by adding the following sentence:

“This section shall not apply to any employer who employs on a regular basis less than five (5) people.”

Mr. McKinney moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 98

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 98.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 351 — Relative to honoring the members of the Shelbyville-Bedford County Bar Association — By Phillips.

Under the rules, House Joint Resolution No. 351 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 352 — Relative to studying impact of TVA nuclear power plants — By Hurley, Buck, Robinson (Davidson), Steinhauer, McKinney and Bell.

The Speaker referred House Joint Resolution No. 352 to the Committee on Conservation and Environment.

House Joint Resolution No. 354 — Relative to studying the use and licensing of motorized bicycles — By Spence.

The Speaker referred House Joint Resolution No. 354 to the Committee on Transportation.

House Joint Resolution No. 355 — Relative to honoring Adjutant General Carl D. Wallace — By Martin and Burnett (Fentress).

Under the rules House Joint Resolution No. 355 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 356 — Relative to congratulating Mr. William Howard Watkins — By Martin, Williams, Small, Sterling, Jensen, Moore and Ashford.

Under the rules, House Joint Resolution No. 356 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 359 — Relative to authorizing a certain Public Service Commission study — By Ford (Shelby), DeBerry, Bissell, Lashlee, Murphy (Shelby), Withers,

Pruitt, Gaia, Hillis, Love, Steinhauer, Kernell, Bragg, Spence, Cobb, Byrd, Ellis, McKinney, Robinson (Davidson), Brewer, Murphy (Davidson), Ozment, Burnett (Fentress) and Buck.

The Speaker referred House Joint Resolution No. 359 to the Committee on Labor and Consumer Affairs.

House Joint Resolution No. 360 — Relative to memorializing of former Senator Ben R. Kerr — By Bragg.

Under the rules, House Joint Resolution No. 360 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2455 — To make certain provisions, Justices of the Peace — By Gill and Turner.

Passed first reading.

House Bill No. 2456 — To make certain provisions, 1978 county primary elections — By Miller.

Passed first reading.

House Bill No. 2457 — To amend Charter, Bradford — By Fuqua.

Passed first reading.

House Bill No. 2458 — To impose tax on hotel rooms, certain counties — By Richards, Scruggs, Jensen, Hall, and Smith.

Passed first reading.

House Bill No. 2459 — To make certain provisions, public water supplies — By Wallace.

Passed first reading.

House Bill No. 2460 — To create the North West-Tennessee Railroad Authority — By Lanier, Jensen, Burnett (Fentress) and Mr. Speaker McWherter.

Passed first reading.

House Bill No. 2461 — To amend Charter, Centerville — By Work.

Passed first reading.

House Bill No. 2462 - To authorize tax on hotel rooms, Pigeon Forge — By Ford (Cocke) and Atchley.

Passed first reading.

SENATE BILLS ON FIRST READING

Senate Bill No. 1510 — To amend Section 56-4403, Code.

Passed first reading.

Senate Bill No. 1531 — To amend Section 6-317, Code.

Passed first reading.

Senate Bill No. 1554 - To amend Section 2-1112, Code.

Passed first reading.

Senate Bill No. 1607 — To amend Section 50-902, Code.

Passed first reading.

Senate Bill No. 1636 — To amend Section 67-3004, Code.

Passed first reading.

Senate Bill No. 1642 — To amend Section 56-4104, Code.

Passed first reading.

Senate Bill No. 1678 — To amend Section 56-322, Code.

Passed first reading.

Senate Bill No. 1718 — To regulate Business Tax Act.

Passed first reading.

Senate Bill No. 1720 — To regulate Exise Tax on Corporate Earnings.

Passed first reading.

Senate Bill No. 1742 — To regulate collection fees for any debtor.

Passed first reading.

Senate Bill No. 1743 — To amend Sections 47-3-410 and 47-4-303, Code.

Passed first reading.

Senate Bill No. 1758 — To amend Section 9-541, Code.

Passed first reading.

HOUSE BILLS ON SECOND READING

House Bill No. 2451 — To make certain provisions, Rhea County government.

Passed second reading and held with reference.

House Bill No. 2452 — To regulate Port Authority, Humphreys County.

Passed second reading and held without reference.

House Bill No. 2453 — To provide for referendum on wheel tax, Greene County.

Passed second reading and held without reference.

House Bill No. 2454 — To provide for referendum, election of board of education, Greene County.

Passed second reading and held without reference.

MOTIONS

On motion of Mr. Richards, House Bill No. 913 was recalled from the Committee on Commerce.

On motion of Mr. Richards, House Bill No. 913 was withdrawn from the House.

On motion of Mr. Ashford, House Bill No. 1516 was withdrawn from the House.

On motion of Mr. Wallace, House Bill No. 2085 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Wallace, House Bill No. 2085 was withdrawn from the House.

On motion of Mr. Wolfe, House Bill No. 1474 was withdrawn from the House.

On motion of Mr. Butler, House Bill No. 1473 was withdrawn from the House.

Mr. Ledford asked to be recorded as changing his vote from "roll call" to "aye" on House Joint Resolution No. 271.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having to agreed to such addition:

House Bill No. 2004 — Love

House Bill No. 2166 — Young

House Bill No. 2331 — Steinhauer

House Joint Resolution No. 308 — Love

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for

passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1533, 1728, 1791 and 1936.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, February 13, 1978: House Bills Nos. 1346, 1740, 1745, 1746 and 1747.

LANIER, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1618 — To amend Hotel and Restaurant Act of 1937;

1648 — To repeal Chapter 93, Acts of 1809;

1665 — To amend Section 19-301, Code;

1680 — To regulate Judicial Standards Commission;

1682 — To provide operator's license, certain handicapped persons;

1684 — To amend Section 20-235, Code;

1699 — To set limitations, counterclaim or third party complaints;

1731 — To amend Section 9-812, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

153 — Relative to confirming appointment, Dr. John H. Gibbons;

157 — Relative to naming State Route 29, "Estes Kefauver Highway";

170 — Relative to confirming appointment, Roger F. Hibbs, Board of Directors, Tennessee Energy Authority;

189 — Relative to memory, Lewis Dantzler Pride; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to House, House Bill No.

1162 — To make provisions, disposition of estates of minors; substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 663, 1576, 1577, 1578, 1583, 1667 and 1673; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 365; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

The Speaker announced that House Bill No. 2449 which had previously been held on desk was referred to the Committee on Labor and Consumer Affairs.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 743, 1555, 1691, 1857 and 1975; and House Joint Resolutions Nos. 286, 288, 289, 291, 292, 293, 295, 297, 298, 299, 305, 308, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322 and 325; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Jensen, the House adjourned until 6:00 p.m., Monday, February 13, 1978.